

PROCEEDINGS BEFORE UNITED STATES MAGISTRATE JUDGE J. EARL CUDD**FIRST APPEARANCE**Criminal No. () 00-mg-332 (1 SEC) Date of Hrg: 8-31-00
Deft # Judge MJUnited States of America v. Wilo Limcaoco Santos

Tape: _____ Court Reporter & Agency _____

James Lackner
Assistant U.S. AttorneyAppearance on behalf of defendant - Counsel
to be (☒) appointed () retained
temporary

Interpreter: _____ Language _____

Date charges filed: 2-20-96 Offense: False Statement to Bank; Bankruptcy
fraud

() Charges read into record () Waived reading of charges () Advised of Rights

On (☒) Indictment () Information () Complaint Violation of () Pretrial Release () Supervised Release(☒) Charges from other District Central District of California
Which District Court(☒) Govt moves for detention motion is (☒) granted, temporary detention ordered () denied () Moot deft currently serving sentence

Bond set in the amount of \$ _____ with conditions, see Order Setting Conditions of Release.

Next appearance date is Tues Sept 5, 2000 at 2:00pm before
Date TimeCudd
Last name of Judge/Mag. Judge to hold hrg for (☒) detention hrg () preliminary hrg () arraignment (☒) removal hrgAdditional Information: Deft. retained his own attorney, however the
Fed. Prob Defenders Office is appointed temporary

() Deft also arraigned at this hearing, see separate arraignment minutes.

①

Karin Mack
Signature of Deputy Clerk or Officer of the Court

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA,

Case NO. 00-mg-332 JEC

Plaintiff,

v.

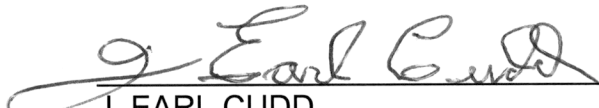
ORDER OF TEMPORARY DETENTION
PENDING HEARING PURSUANT
TO BAIL REFORM ACT

Nilo Limcaoco Santos,

Defendant.

Upon motion of the United States it is ORDERED that a detention hearing is set for September 5, 2000 at 2:00 p.m. before Magistrate Judge J. Earl Cudd, 8E United States Courthouse, 300 South 4th Street, Minneapolis, Minnesota. Pending this hearing, the Defendant shall be held in custody by the United States Marshal and produced for the hearing.

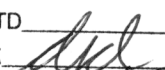
Dated: August 31, 2000


J. EARL CUDD
United States Magistrate Judge

* If not held immediately upon Defendant's first appearance, the hearing may be continued for up to three days upon motion of the Government, or up to five days upon motion of the Defendant. 18 U.S.A. §3142(f)(2).

A hearing is required whenever the conditions set forth in 18 U.S.C. §3142(f) are present. Subsection (1) sets forth the grounds that may be asserted only by the attorney for the Government; subsection (2) states that a hearing is mandated upon the motion of the attorney for the Government or upon the judicial officer's own motion if there is a serious risk that the Defendant (a) will flee; or (b) will obstruct or attempt to obstruct justice, or threaten, injure, or intimidate, or attempt to threaten, injure, or intimidate a prospective witness or juror.

(2)

FILED AUG 31 2000
FRANCIS E. DOSAL, CLERK
JUDGMENT ENTD
DEPUTY CLERK 
(attys, PT, (esm))

PROCEEDINGS BEFORE UNITED STATES MAGISTRATE JUDGE J. EARL CUDD☐ PRELIMINARY HRG ONLY☒ DETENTION HRG ONLY☐ PRELIMINARY/DETENTION HRG☒ REMOVAL HRGCriminal No. () 00-mj-332 (JEC) Date of Hrg: 9-5-00
Deft # Judge MJUnited States of America v. Nilo Limcaoco SantosTape: 2000-9-563-749 Court Reporter & Agency _____

True Name if different from charging instrument _____

☐ Parties ordered to file stipulation or proposed order for name change.David Sleiskamp

Assistant U.S. Attorney

Andrew Birrell

Appearance on behalf of defendant - Counsel

☐ appointed ☒ retainedInterpreter: np Language npOn ☒ Indictment ☐ Information ☐ Complaint Violation of ☐ Pretrial Release or ☐ Supervised Release☒ Charges from other District Central District of California
Which District Court☐ Deft Ordered Detained - Govt to submit proposed detention order ☐ Bond Continued ☐ Moot Currently Serving Sentence or

Bond set in the amount of \$ _____ with conditions, see Order Setting Conditions of Release.

☐ Deft bound over to District Court in Minnesota ☐ Deft removed to charging district and is ordered to appear before _____ on _____☐ Removal Order to be Issued ☐ No Removal Order to be Issued ☐ Commitment to Another District to be IssuedAdditional Information: hearings continued to Thurs Sept 7, 2000 at 2:00pmJ. Earl Cudd
Signature of Deputy Clerk or Officer of the Court

(3)

PROCEEDINGS BEFORE UNITED STATES MAGISTRATE JUDGE J. EARL CUDD☐ PRELIMINARY HRG ONLY☒ DETENTION HRG ONLY☐ PRELIMINARY/DETENTION HRG☒ REMOVAL HRGCriminal No. () 00-mj-332 () SEC Date of Hrg: 9-7-00
Deft # Judge MJUnited States of America v. Wilo Limcaoco SantosTape: 2000-9-949-977 Court Reporter & Agency _____

True Name if different from charging instrument _____

☐ Parties ordered to file stipulation or proposed order for name change.612-871-7000Eric Johnson

Assistant U.S. Attorney

Andrew Birrell

Appearance on behalf of defendant - Counsel

☐ appointed☒ retainedInterpreter: na Language naOn ☒ Indictment ☐ Information ☐ Complaint Violation of ☐ Pretrial Release or ☐ Supervised Release☒ Charges from other District Central District of California
Which District Court☐ Deft Ordered Detained - Govt to submit proposed detention order ☐ Bond Continued ☐ Moot Currently Serving Sentence orBond set in the amount of \$ 200,000 unsecured with conditions, see Order Setting Conditions of Release.☐ Deft bound over to District Court in Minnesota ☐ Deft removed to charging district and is ordered to appear before _____ on _____☒ Removal Order to be Issued ☐ No Removal Order to be Issued ☐ Commitment to Another District to be IssuedAdditional Information: waived removal hearingJ. Earl Cudd
Signature of Deputy Clerk or Officer of the Court

(4)

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA

00-MG-332 JEC

V.

ORDER SETTING CONDITIONS
OF RELEASE

Nilo Limcaoco Santos

IT IS ORDERED that the release of the defendant is subject to the following conditions:

(1) The defendant shall not commit any offense in violation of federal, state or local law while on release in this case.

(2) The defendant shall immediately advise the court, defense counsel and the U. S. Attorney in writing of any change in address and telephone number.

(3) The defendant shall appear at all proceedings as required and shall surrender for service of any sentence imposed as directed. The defendant shall next appear (if blank, to be notified)

at the Pretrial Services office by telephone or in person, in the Central District of California by 3:00 p.m.
September 8, 2000

RELEASE ON PERSONAL RECOGNIZANCE OR UNSECURED BOND

IT IS FURTHER ORDERED that the defendant be released provided that:

(✓) (4) The defendant promises to appear at all proceedings as required and to surrender for service of any sentence imposed.

(✓) (5) The defendant executes an unsecured bond binding the defendant to pay the United States the sum of **two hundred thousand** dollars (\$200,000.00) in the event of a failure to appear as required or to surrender as directed for service of any sentence imposed.

SEP 7 2 40 PM '00
RECEIVED
U.S. MARSHAL
MPLS. MINN.

FILED SEP 07 2000
FRANCIS E. DOSAL, CLERK

JUDGMENT ENTERED
DEPUTY CLERK

5

ADDITIONAL CONDITIONS OF RELEASE

Upon finding that release by one of the above methods will not by itself reasonably assure the appearance of the defendant and the safety of other persons and the community, **IT IS FURTHER ORDERED** that the release of the defendant is subject to the conditions marked below:

() (6) The defendant is placed in the custody of:

(Name of person or organization) _____

(Address) _____

(City and State) _____ (Tel. No.) _____

who agrees (a) to supervise the defendant in accordance with all the conditions of release, (b) to use every effort to assure the appearance of the defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant violates any conditions of release or disappears.

Signed: _____

Custodian or Proxy

(√) (7) The defendant shall:

() (a) maintain or actively seek employment.

() (b) maintain or commence an educational program.

(X) (c) abide by the following restrictions on his personal associations, place of abode, or travel:

Defendant shall reside at the home of John Simonello, 2549 Araby Drive, Palm Springs,
California

() (d) avoid all contact with the following persons, who are considered either alleged victims or potential witnesses: _____

(X) (e) report on a regular basis to the following agency: Pretrial Services

() (f) comply with the following curfew: _____

() (g) refrain from possessing a firearm, destructive device, or other dangerous weapon.

(X) (h) refrain from excessive alcohol.

(X) (i) refrain from any use or unlawful possession of a narcotic drug and other controlled substances defined in 21 U.S.C. §802 unless prescribed by a licensed medical practitioner.

() (j) undergo medical or psychiatric treatment and/or remain in an institution, as follows: _____

(X) (k) surrender any passport to Pretrial Services

() (l) obtain no passport.

(X) (m) submit to urine analysis testing at the direction of Pretrial Services.

() (n) participate in a chemical dependency assessment and any follow-up treatment deemed necessary by Pretrial Services.

() (o) submit to an electronic monitoring program as directed by Pretrial Services. Defendant shall incur all or part of the costs of the monitoring if deemed appropriate by Pretrial Services.

() **Curfew:** You are restricted to your residence every day () from ____ to ____, or () as directed by the pretrial services officer; or

() **Home Detention:** You are restricted to your residence at all times except for employment, activities, appointments, treatment, education or religious services pre-approved by the pretrial services officer; or

() **Home Incarceration:** You are restricted to your residence at all times except for medical needs or treatment, religious services, and court appearances pre-approved by the pretrial services officer.

(X) (p) Defendant's travel is restricted to the State of California

ADVICE OF PENALTIES AND SANCTIONS

Violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for the defendant's arrest, a revocation of release, an order of detention, as provided in 18 U.S.C. §3148, and a prosecution for contempt as provided in 18 U.S.C. §401 which could result in a possible term of imprisonment or a fine.

The commission of any offense while on pretrial release may result in an additional sentence upon conviction for such offense to a term of imprisonment of not less than two years nor more than ten years, if the offense is a felony; or a term of imprisonment of not less than ninety days nor more than one year, if the offense is a misdemeanor. This sentence shall be consecutive to any other sentence and must be imposed in addition to the sentence received for the offense itself.

18 U.S.C. §1503 makes it a criminal offense punishable by up to five years of imprisonment and a \$250,000 fine to intimidate or attempt to intimidate a witness, juror or officer of the court; 18 U.S.C. §1510 makes it a criminal offense punishable by up to five years of imprisonment and a \$250,000 fine to obstruct a criminal investigation; 18 U.S.C. §1512 makes it a criminal offense punishable by up to ten years of imprisonment and a \$250,000 fine to tamper with a witness, victim or informant; and 18 U.S.C. §1513 makes it a criminal offense punishable by up to ten years of imprisonment and a \$250,000 fine to retaliate against a witness, victim or informant, or threaten or attempt to do so.

It is a criminal offense under 18 U.S.C. §3146, if after having been released, the defendant knowingly fails to appear as required by the conditions of release, or to surrender for the service of sentence pursuant to a court order. If the defendant was released in connection with a charge of, or while awaiting sentence, surrender for the service of a sentence, or appeal or certiorari after conviction, for:

(1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, the defendant shall be fined not more than \$250,000 or imprisoned for not more than ten years, or both;

(2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, the defendant shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;

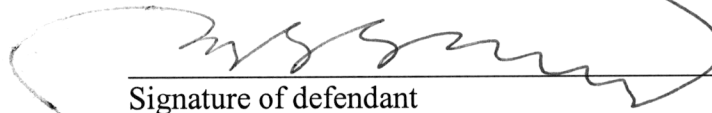
(3) any other felony, the defendant shall be fined not more than \$250,000 or imprisoned not more than two years, or both;

(4) a misdemeanor, the defendant shall be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender shall be consecutive to the sentence of imprisonment for any other offense. In addition, a failure to appear may result in the forfeiture of any bail posted.

ACKNOWLEDGMENT OF DEFENDANT

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.


Signature of defendant

Address

City and State


Telephone

DIRECTIONS TO UNITED STATES MARSHAL

(**X**) The defendant is **ORDERED** released after processing.

() The United States Marshal is **ORDERED** to keep the defendant in custody until notified by the clerk or judicial officer that the defendant has posted bond and/or complied with all other conditions for release. The defendant shall be produced before the appropriate judicial officer at the time and place specified, if still in custody.

DATE: Sept 7



J. EARL CUDD

United States Magistrate Judge

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

United States of America,

Plaintiff,

v.

Nilo Limcaoco Santos,

Defendant.

00-MG-332 JEC
(Central Dist. Of CA SACR-96-26-AHA)

ORDER OF REMOVAL

ERIC JOHNSON, ASSISTANT UNITED STATES ATTORNEY, for the plaintiff.

ANDREW BIRRELL, ESQ., for defendant.

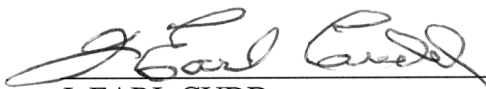
The above captioned case was before the undersigned United States Magistrate Judge for a detention and removal hearing September 7, 2000.

Defendant waived his right to a removal hearing.

Based on the defendant's waiver, the court finds that the defendant is the same person named in the Indictment filed in the Central District of California, and he is ordered removed to that district for further proceedings.

Defendant is ordered to appear before the Duty Magistrate Judge on September 18, 2000, at 9:30 a.m., Roybal Federal Building, Courtroom 1439, 255 East Temple Street, Los Angeles, California, for a court appearance in the United States District Court for the Central District of California.

DATED: Sept 12, 2000.


J. EARL CUDD
United States Magistrate Judge

(7)

SEP 12 2000
FILED
FRANCIS E. DOSAL, CLERK
JUDGMENT ENTD. PS
DEPUTY CLERK
COPIES distel

TERMED

U.S. District Court
District of Minnesota

CRIMINAL DOCKET FOR CASE #: 00-M -332-1

USA v. Santos
Case Assigned to: Magistrate Judge J. Earl Cudd
Dkt# in other court: None

Filed: 08/31/00

NILO LIMCAOCO SANTOS
defendant
[term 09/07/00]

Andrew Stuart Birrell
[term 09/07/00]
[COR LD NTC ret]
Birrell Dunlap & Ritts
510 1st Ave N Ste 500
Mpls, MN 55403
612-871-7000

Pending Counts:

NONE

Terminated Counts:

NONE

Complaints:

NONE

U. S. Attorneys:

James Edward Lackner
[COR LD NTC]
US Attorney
600 US Courthouse
300 4th St S
Mpls, MN 55415
(612) 664-5600

Proceedings include all events.
0:00m 332-1 USA v. Santos

TERMED

8/31/00 1 MINUTES: before Magistrate Judge J. Earl Cudd first appearance on charges from Central District of California of Nilo Limcaoco Santos; detention ordered; detention & removal hearing set for 2:00 on 9/5/00 before JEC; deft retained his own atty, however the Public Defender is appt'd temporarily. 1 pg (dd) [Entry date 09/01/00]

8/31/00 2 TEMPORARY ORDER OF DETENTION of Nilo Limcaoco Santos by Magistrate Judge J. Earl Cudd (dated 8/31/00) (copies dist'd). 1 pg(s) (dd) [Entry date 09/01/00]

9/5/00 3 MINUTES: before Magistrate Judge J. Earl Cudd for detention and removal hearing as to Nilo Limcaoco Santos. Hearings cont'd to 9/7/00 at 2:00 p.m. before JEC. Tape 2000-9-563-749. 1pg (lg) [Entry date 09/06/00]

9/7/00 4 MINUTES: before Magistrate Judge J. Earl Cudd for hearing as to Nilo Limcaoco Santos; detention and removal hearing held on 9/7/00; \$200,000 rpr bond set; tape: 2000-9-749-977. 1 pg (mf) [Entry date 09/12/00]

9/7/00 5 ORDER SETTING CONDITIONS OF RELEASE by Magistrate Judge J. Earl Cudd for Nilo Limcaoco Santos in the amount of \$200,000. 4 pgs (mf) [Entry date 09/12/00]

9/7/00 6 APPEARANCE BOND (\$200,000 rpr executed on 9/7/00) by Nilo Limcaoco Santos. 1pg (mf) [Entry date 09/12/00]

9/7/00 7 ORDER OF REMOVAL (Magistrate Judge J. Earl Cudd / date signed 9/12/00) as to Nilo Limcaoco Santos that deft is ordered to appear on 9/18/00 in Los Angeles, CA. (copies dist'd) 1 page (ps) [Entry date 09/13/00]

9/13/00 -- TRANSMITTAL OF DOCUMENTS: Mailed certified copy of file to Los Angeles, CA (except bond, original sent). (ps) [Entry date 09/13/00]

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
OFFICE OF THE CLERK
316 N. ROBERT ST., RM 708
ST. PAUL, MN. 55101

COPY

September 13, 2000

4 38 PM '00

FRANCIS E. DOSAL, CLERK
PHONE: (651) 848-1100

Direct Reply to:
PATRICIA J. SABIN, Deputy Clerk
PHONE: (651) 848-1105

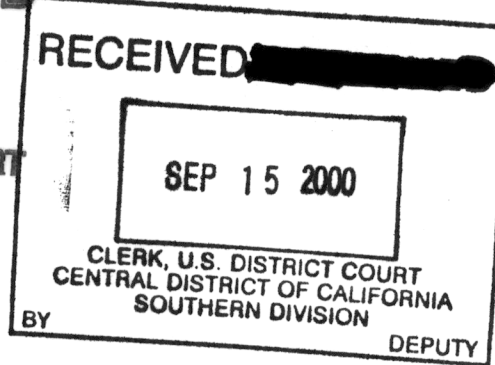
Ms. Sherri R. Carter, Clerk
United States District Court
G-8 United States Courthouse
312 North Spring Street
Los Angeles, CA 90012

Re: NILO LIMCAOCO SANTOS
Our Case Number: MG 00-332 JEC
Your Case Number: SACR-96-26-AHA

RECEIVED
BY MAIL

SEP 25 2000

CLERK US DIST COURT
ST. PAUL, MN



Dear Clerk:

Initial Transfer Out

- ☐ Enclosed please find Probation Form 22 initiating the Transfer of Jurisdiction to your district. Please return an original to this office after jurisdiction has been accepted. When received we will forward you certified copies of the pertinent documents.

Final Transfer Out

- ☐ Enclosed please find certified copies of Probation Form 22 transferring the jurisdiction from the District of Minnesota to your District. Also, enclosed are certified copies of the charging document, Judgment & Commitment Order, Docket Sheet and Financial Case Inquire Report.

Transfer In

- ☐ Enclosed please find Probation Form 22 indicating that our court has accepted jurisdiction. Please forward certified copies of Probation Form 22, charging document, Judgment & Commitment Order, **Financial Case Inquiry Report** (or proof that all monies have been paid) and Docket Sheet for this defendant

Rule 40 Removal Proceedings

- ☒ Enclosed please find certified copies of all documents filed in our court.

Rule 20

- ☐ Enclosed please find certified copies of the Docket Sheet, charging instrument, and the Consent to Transfer pursuant to Rule 20.

Please acknowledge receipt of these documents by returning a copy of the enclosed letter.

Sincerely,

FRANCIS E. DOSAL, CLERK

Patricia J. Sabin, Deputy Clerk

cc: James Lackner, Assistant U. S. Attorney
Andrew Birrell, defendant's counsel
U.S. Marshal Service
Pretrial Services

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
OFFICE OF THE CLERK
316 N. ROBERT ST., RM 708
ST. PAUL, MN. 55101

September 13, 2000

FRANCIS E. DOSAL, CLERK
PHONE: (651) 848-1100

Direct Reply to:
PATRICIA J. SABIN, Deputy Clerk
PHONE: (651) 848-1105

Ms. Sherri R. Carter, Clerk
United States District Court
G-8 United States Courthouse
312 North Spring Street
Los Angeles, CA 90012

Re: NILO LIMCAOCO SANTOS
Our Case Number: MG 00-332 JEC
Your Case Number: SACR-96-26-AHA

Dear Clerk:

Initial Transfer Out

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Final Transfer Out

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Transfer In

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Rule 40 Removal Proceedings

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Rule 20

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Please acknowledge receipt of these documents by returning a copy of the enclosed letter.

Sincerely,

FRANCIS E. DOSAL, CLERK

Patricia J. Sabin, Deputy Clerk

cc: James Lackner, Assistant U. S. Attorney
Andrew Birrell, defendant's counsel
U.S. Marshal Service
Pretrial Services

NOTICE OF CASE ASSIGNMENT

Date: September 1, 2000
From: Clerk, U.S. District Court
Criminal Docket Clerk, Donna J. Daun
Subject: Rule 40 ProceedingsJ
To: James Lackner, Assistant U.S. Attorney

The following criminal proceedings have been assigned as listed below. Please refer to the appropriate case number whenever documents are filed regarding either the defendant or the referenced procedure.

() Complaint and Warrant Magistrate Case #:
Title: USA vs.

IF THERE IS MORE THAN ONE DEFT, PLEASE USE DEFT NUMBERS ON ALL PLEADINGS IN THE SAME MANNER AS ABOVE. THANK YOU.

(x) Rule 40 Proceedings - Magistrate Case # **00-mg-332 JEC**
Title: USA vs. **Nilo Limcaoco Santos**

cc: Pretrial Services/Complaints Only & Rule 40 Proceedings Only